

REGENTS BOARD[681]

Adopted and Filed

Pursuant to the authority of Iowa Code section 262.9(3), the Board of Regents hereby amends Chapter 1, "Admission Rules Common to the Three State Universities," Iowa Administrative Code.

This amendment revises paragraph 1.4(2)"b" to bring the public universities into compliance with the Home Base Iowa Initiative, as well as with the federal Veterans Access, Choice and Accountability Act of 2014 (Choice Act).

Notice of Intended Action for this amendment was published in the Iowa Administrative Bulletin on March 4, 2015, as **ARC 1902C**. A comment period was established. No comments were received. The adopted amendment is identical to that published under Notice.

The Board of Regents adopted the amendment on April 23, 2015.

A waiver provision is not included. The Board has adopted a uniform waiver rule, which may be found at 681—19.18(17A).

After analysis and review of this rule making, a positive impact on jobs could exist. This rule will allow qualifying veterans, their spouses/domestic partners, and their children to be classified as residents for the purpose of receiving in-state tuition. This rule provides that veterans will be allowed to receive veterans' benefits. Therefore, veterans may be attracted to the state for postsecondary education and be drawn to remain in the state after graduation. This rule reduces tuition costs for veterans and their spouses and children and provides opportunities for postsecondary education, thus allowing veterans and their spouses and children the opportunity to obtain better paying jobs.

This amendment is intended to implement Iowa Code section 262.9(3).

This amendment shall become effective on June 17, 2015.

The following amendment is adopted.

Amend paragraph **1.4(2)"b"** as follows:

b. Additional guidelines are used in determining the resident classification of a veteran, qualified military person, and ~~dependent~~ children and spouses of a veteran or qualified military person for purposes of admission and undergraduate, graduate, or professional tuition and mandatory fees:

(1) A person who is stationed on active duty at the Rock Island arsenal as a result of military orders, or the ~~dependent~~ child or spouse/domestic partner of such person, is entitled to resident status for purposes of undergraduate, graduate, or professional tuition and mandatory fees. The child or spouse/domestic partner may be required to submit appropriate documentation to the university. ~~However, if the arrival of the person under orders is subsequent to the beginning of the term in which the dependent child or spouse is first enrolled, nonresident fees will be charged in all cases for the dependent child or spouse until the beginning of the next term in which the dependent child or spouse is enrolled. If the qualified military person is transferred, deployed, or restationed while the person's spouse or dependent child is enrolled in an institution of higher education under the control of the board of regents, the spouse or dependent child shall continue to be classified as a resident under this subparagraph until the close of the fiscal year in which the spouse or dependent child is enrolled.~~

(2) A veteran ~~who is domiciled or moves to the state of Iowa and who is eligible for benefits, or has exhausted benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008, any federal program authorizing veteran educational benefits~~ is entitled to resident status for purposes of undergraduate, graduate, or professional tuition and mandatory fees. The ~~dependent~~ child or spouse/domestic partner of a veteran who meets these requirements is entitled to resident status for undergraduate, graduate, or professional tuition. The child or spouse/domestic partner may be required to submit appropriate documentation to the university. ~~However, if the arrival of the veteran in Iowa is subsequent to the beginning of the term in which the dependent child or spouse is first enrolled, nonresident fees will be charged in all cases for the dependent child or spouse until the beginning of the next term in which the dependent child or spouse is enrolled.~~

(3) A person who is moved into the state as the result of military or civil orders from the government for other than educational purposes, or the ~~dependent~~ child or spouse/domestic partner of such a person, is entitled to resident status. The child or spouse/domestic partner may be required to submit appropriate documentation to the university. ~~However, if the arrival of the person under orders is subsequent to the beginning of the term in which the dependent child or spouse is first enrolled, nonresident fees will be charged in all cases until the beginning of the next term in which the dependent child or spouse is enrolled.~~ Legislation, effective July 1, 1977, requires that military personnel who claim residency in Iowa (home of record) will be required to file Iowa resident income tax returns.

[Filed 4/24/15, effective 6/17/15]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/13/15.